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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Tsugio WAKITA, et al.                      Art Unit : 2877  
Serial No. : 10/507,412                                      Examiner : Roy M. PUNNOOSE  
Filing Date: September 13, 2004  
Title : ANALYSIS APPARATUS AND ANALYSIS DISC USED FOR THE SAME

RESPONSE TO RESTRICTION REQUIREMENT

Customer Window  
U.S. Patent & Trademark Office  
Randolph Building  
401 Dulany St.  
Alexandria, VA 22314

Sir:

In response to the Office Action mailed January 17, 2007, applicant hereby provisionally elects, with traverse, to prosecute the claims of Group I (claims 1, 7 and 8) in this application.

However, applicant respectfully traverses the restriction requirement since the subject matter of all of claims 1-8 is sufficiently related that a thorough and complete search for the subject matter of the elected claims would necessarily encompass a thorough and complete search for the subject matter of the non-elected claims. Thus, search and examination of the entire application could be made without serious burden. See MPEP §803 which states that "[i]f the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits." This policy should apply in the present application to

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Inventor: Tsugio WAKITA, et al.  
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avoid unnecessary delay and expense to applicants and duplicative examination by the Patent Office.

Respectfully submitted,

STEPTOE & JOHNSON LLP

February 20, 2007

A handwritten signature in black ink, appearing to read "Roger W. Parkhurst", written over a horizontal line.

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RWP/lmw

Attorney Docket No.: 28951.5341

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